REMARKS/ARGUMENTS

The present reply is responsive to the final Office Action mailed March 29, 2006. No claims have been amended. Claims 2-3, 10-11, 17-18, 20-21, 27-28, 34-35, 37-38, 44-45, and 47-178 were previously cancelled. Therefore, claims 1, 4-9, 12-16, 19, 22-26, 29-33, 36, 39-43 and 46 are again presented for the Examiner's consideration.

Reexamination and reconsideration of the above-identified application, pursuant to and consistent with 37 C.F.R. § 1.116, and in light of the remarks that follow, are respectfully requested. Because the present claims are believed to be in condition for allowance over the cited art, good cause exists for the entry of this reply in accordance with 37 C.F.R. § 1.116.

Claims 1, 4, 7, 12, 16, 19, 22, 24, 29, 33, 36, 39, 41 and 46 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,253,193 ("*Ginter*"). Applicants respectfully traverse the rejection.

In order to help understand the claimed invention, applicants refer the Examiner to an exemplary embodiment of the invention as explained in paragraph 0227 of the published application. This paragraph states:

> [0227] As described above, according to the data processing apparatus and method and data-verifying-value-imparting method of the present invention, partial integrity check values generated as integrity check values for a partial data set containing one or more partial data obtained by dividing content data into a plurality of pieces are used for a collation process to verify the partial data, and a partial-integrity-check-value -verifying integrity check values used to verify a partial integrity check value set comprising a combination of a plurality of partial integrity check values are used for a collation process to verify the entirety of a plurality of partial data sets corresponding to a plurality of partial integrity check values

constituting a partial integrity check value set. Consequently, compared to a configuration for imparting a single integrity check value to the entire content data, partial verification is achieved and the entire verification process is efficient due to the use of the partial integrity check values.

Claims 1, 19, 36 and 46 are independent and the remaining claims depend from these independent claims. The rejection cites to several portions of *Ginter* in rejecting claims 1, 19, 36 and 46. However, the cited portions of *Ginter* simply do not teach what the Office Action asserts they do.

Firstly, the Office Action states that *Ginter* teaches "a cryptography process section for executing a cryptography process on said content data (*Ginter*: Column 255 Line 37-38)." (Office Action, section 2, pg. 3.) However, what this section of column 255 actually states is:

A summary of the roles of the various participants of virtual distribution environment 100 is set forth in the table below:

Role	Description

"Traditional" Participants

(Col. 255 ll.33-40, underline in original.)

There is simply no discussion at all in the cited section of a cryptography process section.

Next, the Office Action asserts that *Ginter* teaches "a control section for executing control for said cryptography process section (*Ginter*: Column 5 Line 24-27 and Column 6 Line 17-31)." (Office Action, section 2, pg. 3.) However, the first section of *Ginter* actually states "[t]he content and control information supplied by one group can be used by people who normally use content and control information supplied by a

different group."   (Col. 5, ll.24-27.)   The second section
states:

> VDE can protect a collection of rights belonging to
> various parties having in rights in, or to,
> electronic information. This information may be at
> one location or dispersed across (and/or moving
> between) multiple locations. The information may
> pass through a "chain" of distributors and a "chain"
> of users. Usage information may also be reported
> through one or more "chains" of parties. In general,
> VDE enables parties that (a) have rights in
> electronic information, and/or (b) act as direct or
> indirect agents for parties who have rights in
> electronic information, to ensure that the moving,
> accessing, modifying, or otherwise using of
> information can be securely controlled by rules
> regarding how, when, where, and by whom such
> activities can be performed.

(Col. 6, ll.17-31.)

There is no discussion in the cited section of a
control section as asserted.   Nonetheless, the Office Action
proceeds to assert that *Ginter* teaches a cryptography process
section that "generates first integrity check values as
integrity check values for a message including a usage policy
obtained by a header of said content data (*Ginter*: Figure 17,
Column 149 Line 1-7, Figure 26A Element 978 and Column 217 Line
51-52 / Line 59-60)."   (Office Action, section 2, pg. 3.)

According to the specification, "FIG. 17 is an
illustration of an example of a logical object structure."
(Col. 50, ll.56-57.)   Specifically:

> the FIG. 17 "logical object" structure 800 in the
> preferred embodiment includes a public header 802,
> private header 804, a "Private body" 806 containing
> one or more methods 1000, permissions record(s)
> (PERC) 808 (which may include one or more key blocks
> 810), and one or more data blocks or areas 812.
> These elements may be "packaged" within a
> "container" 302. This generalized, logical object
> structure 800 is used in the preferred embodiment
> for different types of VDE objects 300 categorized
> by the type and location of their content.

13

(Col. 127, ll.20-29.)

The cited portion of column 149 states:

The internal structure of preferred embodiment PERC 808 organizes the "methods" that are required to perform each allowable operation on an object or associated control structure (including operations performed on the PERC itself). For example, PERC 808 contains decryption keys for the object, and usage of the keys is controlled by the methods that are required by the PERC for performing operations associated with the exercise of a "right."

(Col. 148, line 66 to col. 149, line 7.)

As noted above, the Office Action refers to element 978 of FIG. 26A, which is labeled "Check Value." The <u>only</u> reference in the entire patent to element 978 states "a check value field 978 for validation purposes." (Col. 153, line 8.)

Finally, the cited portions of column 217 state:

Validation tags may be used to help detect record substitution attempts on the part of a tamperer.

In some respects, these three classes of tags overlap in function. For example, a correlation tag mismatch may prevent some classes of modification attempts that would normally be prevented by an access tag mismatch before an access tag check is performed. The preferred embodiment may use this overlap in some cases to reduce overhead by, for example, using access tags in a role similar to validation tags as described above.

(Col. 217, ll. 51-60.)

None of the cited sections disclose anywhere employing "first integrity check values <u>as integrity check values for a message including a usage policy obtained by a header of said content data</u>" as claimed. (Emphasis added).

The Office Action next asserts that *Ginter* "collates said first integrity check values to verify said message (*Ginter*: Column 217 Line 51-52 / Line 59-60)." (Office Action, section 2, pg. 3.) As is clear from the section of column 217

reproduced above, the section relied on in the Office Action does not teach collating as claimed.

Subsequently, the Office Action alleges that *Ginter* "generates second integrity check values as integrity check values for information including at least a content key obtained by a header of said content data (Figure 17, Column 149 Line 1-7, Figure 26A / Element 906a/b, Figure 26B Element 912 / Element 944: Note Figure 26B, which includes content key, is an example of one of rights records.)." (Office Action, section 2, pg. 3.)

Several of the sections of *Ginter* have already been identified and discussed above. The other sections will be discussed below.

Elements 906a and 906b of FIG. 26A are listed as "RIGHTS RECORD 1" AND "RIGHTS RECORD 2" in the figure. According to *Ginter*:

> Each rights record 906 defines a different "right" corresponding to an object. A "right" record 906 is the highest level of organization present in PERC 808. There can be several different rights in a PERC 808. A "right" represents a major functionally partitioning desired by a participant of the basic architecture of VDE 100. For example, the right to use an object and the right to distribute rights to use an object are major functional groupings within VDE 100. Some examples of possible rights include access to content, permission to distribute rights to access content, the ability to read and process audit trails related to content and/or control structures, the right to perform transactions that may or may not be related to content and/or related control structures (such as banking transactions, catalog purchases, the collection of taxes, EDI transactions, and such), and the ability to change some or all of the internal structure of PERCs created for distribution to other users. PERC 808 contains a rights record 906 for each type of right to object access/use the PERC grants.
>
> (Col. 149, l.59 – col. 150, l.9.)

Elements 912 are:

keys used to exercise a right in the preferred
embodiment. Such right keys 912 may include, for
example, decryption keys that enable a method
specified by PERC 808 to decrypt content for release
by a VDE node to an end user. These right keys 912
are, in the preferred embodiment, unique to an
object 300. Their usage is preferably controlled by
budgets in the preferred embodiment.

(Col. 152, 11.3-9.)

Element 994 is identified as a "CHECK VALUE" and the
only reference in the specification to such a feature merely
states "a check value field 994." (Col. 153, 1.30.) *Ginter*
gives no explanation as to what this field contains or how it is
used.

Thus, it should be clear that the relied-upon portions
of *Ginter* do not teach "second integrity check values as
integrity check values for information including at least a
content key obtained by said header of said content data" as
claimed. (Emphasis added.)

Next, the Office Action contends that *Ginter* "collates
said integrity check values to verify said information (*Ginter*:
Column 217 Line 51-52 / Line 59-60)." (Office Action, section
2, pg. 3.) As is clear from the section of column 217
reproduced above, the section relied on in the Office Action
does not teach collating as claimed.

The Office Action goes on to assert that *Ginter*
"generates an intermediate integrity check value based on said
first integrity check values and said second integrity check
values (*Ginter*: Figure 26A / Element 980 and Column 153 Line 9-
13)." (Office Action, section 2, pg. 3.)

Element 980 is, according to *Ginter*, "an overall check
value field." (Col. 153, 1.10.) Applicants note that this is
the only reference in the specification to element 980.
Applicants submit that an "overall check value field" is not an
"intermediate check value" as claimed.

16

Finally, the Office Action asserts that *Ginter* "uses the generated intermediate integrity check value to verify said content data corresponding to said first and second integrity check values (*Ginter*: Column 153 Line 9-13 and Column 217 Line 51-52 / Line 59-60)." (Office Action, section 2, pg. 4.)

Column 153 actually states:

> In this example of PERC 808 also includes one or more rights records 906, and an overall check value field 980. FIG. 23b is an example of one of right records 906 shown in FIG. 16a. In, this particular example, rights record 906a includes a rights record header 908 comprising:

(Col. 153, ll. 9-13.)

Clearly, neither this section nor the cited portions of column 217, reproduced above, discloses using an "intermediate integrity check value to verify said content data corresponding to said first and second integrity check values" as claimed. (Emphasis added.)

For at least these reasons, applicants respectfully submit that independent claims 1, 19, 36 and 46 are not anticipated by *Ginter* and the rejection of claims 1, 19, 36 and 46 should therefore be withdrawn. Claims 4, 7, 12, 16, 22, 24, 29, 33, 39, and 41 depend from claims 1, 19 and 36, respectively, and contain all of the limitations thereof. Accordingly, for at least this reason, applicants submit that these dependent claims are likewise patentable.

Claims 5, 6, 23 and 40 were rejected under 35 U.S.C. § 103(a) as being obvious over *Ginter* in view of U.S. Patent 6,898,709 ("*Teppler*"). Claims 8, 25 and 42 were rejected under 35 U.S.C. § 103(a) as being obvious over *Ginter* in view of U.S. Patent 6,011,849 ("*Orrin*"). Claims 9, 26 and 43 were rejected under 35 U.S.C. § 103(a) as being obvious over *Ginter* in view of *Orrin* and U.S. Patent 6,915,434 ("*Kuroda*"). And claims 13-15 and 30-32 were rejected under 35 U.S.C. § 103(a) as being

obvious over *Ginter* in view of U.S. Patent 6,253,193 (*"Bodo"*). Applicants respectfully traverse the § 103(a) rejections.

Claims 5, 6, 8, 9, 13-15, 23, 25, 26, 30-32, 40, 42, and 43 depend from independent claims 1, 19 and 36, respectively, and contain all the limitations thereof. Thus, for at least this reason, applicants submit that the subject dependent claims are likewise patentable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding final rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have. If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 22, 2006   Respectfully submitted,

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